



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

William M McGurgan

3576108

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:20-cv-00157
(Number to be assigned by Court)

Miss Leah P Macia
in her individual capacity

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No ☒ _____

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Leah P MACIA, in individual capacity
is employed as: Assistant public defender
at 816 Quarrier St, Charleston

D. Additional defendants:

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

defendant has refused to file for needed documents, and evidence needed in her clients behalf. to prove he is not guilty

Plaintiff has written numerous letters to the defendant seeking her to file the proper documents to obtain the 2nd Breatherlizer test results, taken on Dec 24/2019. At Charleston Police station,

IV. Statement of Claim (continued):

defendant failed to file for the body
CAM of Officer R.K. Mark, Body CAM
will show that plaintiff truck was parked
before Officer Marko arrived at McDonalds.
on Dec 24/2019.

see Attached statement of claims

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

Plaintiff is seeking the defendant Miss
Leah P. Macia to be removed from the
Public defenders Office and not permitted
to work another civil service job.

Plaintiff is seeking 5.5 million dollars due
to failure of defending plaintiff constitutional
Rights in case # 19-1420M-13998 and his parole
revocation hearing

V. Relief (continued)):

Plaintiff is seeking CASE 19-M20M-13998
and plaintiff parole revocation case
to be overturned due to ineffective
counsel by Leah P. Macia

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

James Meadows

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____

No ☒

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: _____

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____

No ☒

Statement of claim

⑤ Defendant was fully informed about plaintiff witness, Clifford Edwards willing to give testimony in behalf of the plaintiff.

Defendant refused to make sure plaintiff witness was at the hearings.

⑥ Plaintiff is being denied the right to confront his accusers by defendant. There was a 911 call to the police on Dec 24/2019, where the caller claimed that Plaintiff was drunk.

Plaintiff has requested numerous times the defendant will file motion of discovery to find out the Identity of this caller and summon them into court, Defendant has refused

②

Sando

By defendants refusal to comply with Plaintiff request, Plaintiff is being deprived his constitutional rights to confront his accuser and to cross-examine the 911 caller.

6. Defendant, failed to protect my unmarindia right, (5th amendment) U.S. Constitution Plaintiff was not provided his 5th amendment rights by Officer R.K. Marks and counsel refused to obtain bodycam and refused to question the two other Officer that was at the arrest of the plaintiff on Dec 24/2019

③

⑦. By the defendants failure to protect plaintiff constitutional rights. Plaintiff has been denied the right to a fair trial. Plaintiff is being denied the rights of Discovery, confrontation of my Accuser, Right to cross-examine my Accuser. Being denied evidence that will prove Plaintiff is not guilty of D.U.I. And there is not guilty of the parole revocation where he will be returned to prison for the duration of his life. All because an attorney that does not work for her client.

⑧. Defendant did not get a bond for her client. (no bail)

⑨ by the defendant, Leah P. Macia not filing the proper documents to get Officer K.K. Marks body cam, is so much evidence on this body cam it can overturn the d.v.i case and the parole revocation case,

Counselor Leah P. Macia attitude is she does not care, she is not the one going back to prison for life.

Why Counselor Leah P. Macia has refused her client, William McGowan the constitutional right to this evidence that will clear McGowan of the D.V.I case. This body cam will prove that McGowan was not driving the truck, truck was parked in the parking lot at McDonald's
on Dec 24/24/19

92 Bodycam will prove that Officer Marks did not provide McGargan of his Miranda rights (5th Amend) It will prove that McGargan was walking into McDonalds when Officer Marks approach McGargan.

So, if McGargan was not driving and the truck was parked, and Officer Marks did not provide McGargan with his Miranda rights, and McGargan was approached by Marks as McGargan was walking into McDonalds. How can there be any D.V.I on parole revocation?

If so, state the lawyer's name and address:

Signed this _____ day of _____, 20____.

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2/25/20
(Date)

William M. Grogan
Signature of Movant/Plaintiff

Signature of Attorney
(if any)